

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
101215-189

In Re Application Of: **Bernd SCHWENZER**

Application No. 10/537,449	Filing Date June 2, 2005	Examiner TBA	Customer No. 27387	Group Art Unit TBA	Confirmation No. 1690
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Invention: **Polynucleotides Directed Towards hTERT and Use Thereof**



Mail Stop Missing Parts

COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
October 6, 2005  
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☒ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

**Preliminary Amendment**

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101215-189

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Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/537,449	June 2, 2005	TBA	27387	TBA	1690

Invention: **Polynucleotides Directed Towards hTERT and Use Thereof**

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

☒ Completion of application fees as calculated below:

- |   |                 |
|---|-----------------|
| <input type="checkbox"/> Utility application basic fee  | _____           |
| <input type="checkbox"/> Design application basic fee   | _____           |
| <input type="checkbox"/> Search Fee   | _____           |
| <input type="checkbox"/> Examination Fee  | _____           |
| <input type="checkbox"/> Total number of independent claims = _____   | _____           |
| <input type="checkbox"/> Total number of claims = _____   | _____           |
| <input type="checkbox"/> Multiple dependent claims  | _____           |
| <input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath | <u>\$130.00</u> |
| <input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the inventor               | _____           |
| <input checked="" type="checkbox"/> Fee for processing an application filed with a non-English language specification           | <u>\$130.00</u> |
| <input type="checkbox"/> Fee for processing and retention of application  | _____           |

01/12/2006 ATRAM1 00000158 141263 10537449  
01 FC:1617 130.00 DA  
02 FC:1618 130.00 DA

Total completion of application fees \$260.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☒ One month    ☐ Two months    ☐ Three months    ☐ Four months    ☐ Five months

from: December 6, 2005    until: January 6, 2006  
Date    Date

01/12/2006 ATRAM1 00000158 141263 10537449

Total time extension fees \$120.00

03 FC:1251 120.00 DA

Total fees due \$380.00

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.  
**101215-189**

In Re Application Of: **Bernd SCHWENZER**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/537,449	June 2, 2005	TBA	27387	TBA	1690

Invention: **Polynucleotides Directed Towards hTERT and Use Thereof**

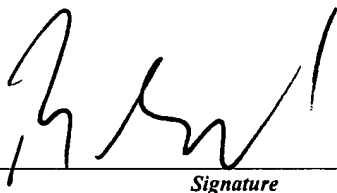
**TO THE COMMISSIONER FOR PATENTS:**

**Mail Stop Missing Parts**

The fee of **\$380.00** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **14-1263**
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **14-1263**
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

  
\_\_\_\_\_  
*Signature*

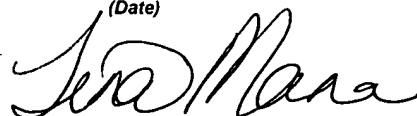
Dated: **January 4, 2006**

**Bruce S. Londa**  
Reg. No. 33,531  
Norris McLaughlin & Marcus, P.A.  
875 Third Avenue, 18th Floor  
New York, NY 10022

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

January 4, 2006

(Date)

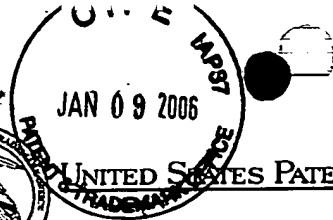


*Signature of Person Mailing Correspondence*

**Tina Manor**

*Typed or Printed Name of Person Mailing Correspondence*

cc:



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/537,449	Bernd Schwenzler	101215-189 <i>BSL</i>

INTERNATIONAL APPLICATION NO.
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PCT/DE03/04114

I.A. FILING DATE	PRIORITY DATE
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12/08/2003

12/06/2002

27387

NORRIS, MCLAUGHLIN & MARCUS, P.A.  
 875 THIRD AVE  
 18TH FLOOR  
 NEW YORK, NY 10022

CONFIRMATION NO. 1690

371 FORMALITIES LETTER



\*OC000000017180817\*

Date Mailed: 10/06/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/03/2005
- Copy of the International Search Report filed on 06/03/2005
- Copy of IPE Report filed on 06/03/2005
- Request for Immediate Examination filed on 06/03/2005
- U.S. Basic National Fees filed on 06/03/2005
- Priority Documents filed on 06/03/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$260** for a Large Entity:

- **\$130** Surcharge.
- **\$130** for English translation surcharge required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/537,449	PCT/DE03/04114	101215-189

Doc Code:

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2008. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). <h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2005</h2>		<b>Complete if Known</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/537,449
		Filing Date	June 2, 2005
		First Named Inventor	Bernd SCHWENZER
		Examiner Name	TBA
		Art Unit	TBA
TOTAL AMOUNT OF PAYMENT (\$) \$680.00		Attorney Docket No.	101215-189

**METHOD OF PAYMENT** (check all that apply)
☐ Check    ☐ Credit Card    ☐ Money Order    ☐ None    ☐ Other (please identify): \_\_\_\_\_

☒ Deposit    Deposit Account Number: 14-1263    Deposit Account Name: Norris McLaughlin & Marcus

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below    ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.16 and 1.17    ☒ Credit any overpayments

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.
**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid(\$)
	Fee (\$)	<u>Small Entity</u> Fee (\$)	Fee (\$)	<u>Small Entity</u> Fee (\$)	Fee (\$)	<u>Small Entity</u> Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	<u>Small Entity</u> Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
<u>22</u> - 20 or HP = <u>2</u> x <u>\$50.00</u> = <u>\$100.00</u>			

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
<u>4</u> - 3 or HP = <u>1</u> x <u>\$200.00</u> = <u>\$200.00</u>			

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listing under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
<u>27</u> - 100 = <u>0</u> / 50 <u>0</u> (round up to a whole) x <u>\$250.00</u> = <u>\$0.00</u>				

**4. OTHER FEE(S)**

Non-English specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Late Fee for Declaration, Late translation fee, 1 month EOT

\$380.00

<b>SUBMITTED BY</b>		<b>Registration No.</b>		<b>Telephone</b>	
Signature		(Attorney/Agent)		(212) 808-0700	
Name (Print/Type)		33,531		Date	
Bruce S. Londa		January 4, 2005			

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.